INTERNATIONAL SEARCH REPORT

International application No. PCT/AU2004/001341

Int. Cl. 7: A61K 35/74, 47/26, 47/42 According to International Patent Classification (IPC) or to both national classification and IPC					
According to International Patent Classification (IPC) or to both national classification and IPC B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) DWPI and Meditine - IPC A61K & Keywords (probloide, protein, carbohydrate, capsule) and like terms C. DOCUMENTS CONSIDERED TO BE RELEVANT Category* Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No. X (see page 4, lines 21-33; page 5, lines 11-26; page 8, line 14 - page 9, line 19; claims) 1-15 WO 2003/010299 A1 (Alimentary Health Limited) 6 February 2003 (see page 3, lines 6-23; page 7, lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 1-15 31) X WO 2003/010297 A1 (Alimentary Health Limited) 6 February 2003 (see page 3, lines 1-18; claims 17-21 and 23) X US 2003/0152629 A1 (Shefer A et al) 14 August 2003 (see page 3, lines 1-18; claims 17-21 and 23) X US 2003/0152629 A1 (Shefer A et al) 14 August 2003 (see page 3, lines are listed in the continuation of Box C See patent family annex **Y special exergence of class documents are listed in the continuation of Box C See patent family annex **Y sealer explication or patent but published on or after the international filing date or priority date and not in condition with the explication but ried to undermand the principle or theory underlying the invention connection but ried to undermand the principle or theory underlying the invention and inventive step when the document is such as long to the considered to be of particular relevance, the claimed invention search term of the such and priority date and not in condition with the explication but ried to undermand the principle or theory underlying the invention **Y but there documents a	A.	CLASSIFICATION OF SUBJECT MATTE	ER		
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Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) DWPI and Medline - IPC A61K & Keywords (probiotic, protoin, carbohydrate, capsule) and like terms C. DOCUMENTS CONSIDERED TO BE RELEVANT Category* Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No. X (see page 4, lines 21-33; page 5, lines 11-26; page 8, line 14 – page 9, line 19; claims) X (see page 3, lines 21-33; page 7, lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 31) X (see page 3, lines 6-23; page 7, lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 31) X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 1 lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 1-15 X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 1 lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 1-15 X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 1 lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 1-15 X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 1 lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 1-15 X (see page 3, lines 10-12; page 34, lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 1-15 X (see page 1 lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 23) X (see page 3, lines 10-12; page 34, lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 23) X (see page 3, lines 10-12; page 34,	Minimum doc	umentation searched (classification system follow	ed by clas	sification symbols)	
C. DOCUMENTS CONSIDERED TO BE RELEVANT Category* Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No. X (see page 4, lines 21-33; page 5, lines 11-26; page 8, line 14 – page 9, line 19; claims) X (see page 4, lines 21-33; page 5, lines 11-26; page 8, line 14 – page 9, line 19; claims) X (see page 3, lines 6-23; page 7, lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 31) X (see page 3, lines 6-23; page 7, lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 31) X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 3, lines 1-18; claims 17-21 and 23) X (see page 3, lines 1-18; claims 17-21 and 23) 1-15 X Further documents are listed in the continuation of Box C X See patent family annex * Special categories of cited documents: * Turn document defining the general state of the art which is not considered to be of particular relevance: * Special categories of cited documents: * Turn document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) * Turn document which may throw doubts on priority claim(s) or which is cited to destiblish the publication date of another citation or other special reason (as specified) * Turn document which may throw doubts on priority claim(s) or which is cited to destiblish the publication date of another citation or other special reason (as specified) * Turn document which may throw doubts on priority claim(s) * Turn document which may throw doubts on priority claim(s) * Turn document which may throw doubts on priority claim(s) * Turn document which may throw doubts on priority claim(s) * Turn document which may throw doubts on priority claim(s) * Turn document which may throw doubts on priority claim(s) * Turn document which may throw doubts on priority claim(s) * Turn document which may throw d	Documentation	n searched other than minimum documentation to	the exten	t that such documents are included in the fields search	ed
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* Special categories of cited documents: document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 28 October 2004 Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.ggov.au Authorized officer Special categories of cited documents: document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art document member of the same patent family Date of mailing of the international search report 1 2 NOV 2004	x	US 2003/0152629 A1 (Shefer A et al (see paragraphs [0046], [0056] – [00	l) 14 Au 68]; [00	gust 2003 80], [0100], [0106]; claims 1, 13 and 23	1-15
"A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published affer the international filing date but later than the priority date claimed Date of the actual completion of the international search 28 October 2004 Name and mailing address of the ISA/AU Australian Patent Office PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au International filing date or theory underlying the invention document published after the international the principle or theory underlying the invention document centrol to considered to involve an inventive step when the document is combined in the art of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art document member of the same patent family Date of mailing of the international search report 1 2 NOV 2004 STEVEN CHEW STEVEN CHEW	X	Further documents are listed in the cont	inuation	of Box C X See patent family ann	ex
"E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 28 October 2004 Name and mailing address of the ISA/AU Authorized officer "X" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art document member of the same patent family Date of mailing of the international search report 1 2 NOV 2004 Authorized officer STEVEN CHEW	"A" docum	ment defining the general state of the art which is	cc	nflict with the application but cited to understand the princip	oriority date and not in the old or theory
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 28 October 2004 Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family Date of mailing of the international search report 1 2 NOV 2004 STEVEN CHEW	"E" earlie	r application or patent but published on or after the ational filing date	"X" do	cument of particular relevance; the claimed invention canno cannot be considered to involve an inventive step when the	t be considered novel document is taken
"O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 28 October 2004 Name and mailing address of the ISA/AU Authorized officer Date of mailing of the international search report 1 2 NOV 2004 Authorized officer STEVEN CHEW STEVEN CHEW	or wh	ich is cited to establish the publication date of	"Y" do	cument of particular relevance; the claimed invention canno volve an inventive step when the document is combined with	n one or more other
Date of the actual completion of the international search 28 October 2004 Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Date of mailing of the international search report 1 2 NOV 2004 Authorized officer STEVEN CHEW	"O" docur	ment referring to an oral disclosure, use, exhibition ner means			
28 October 2004 Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au 1 2 NOV 2004 Authorized officer STEVEN CHEW					
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INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2004/001341

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C (Continuati	on). DOCUMENTS CONSIDERED TO BE RELEVANT	1
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
х	WO 1999/017788 A1 (Abbott Laboratories) 15 April 1999 (see page 7, lines 5-8; page 8, lines 1-3; page 12, lines 10-31; claims 10-13)	1-15
x	EP 0904784 A1 (NV Nutricia) 31 March 1999 (see column 2, lines 30-41; column 4, lines 29-28, 40-46; column 5, lines 33-42; column 6, lines 10-22, 44-54; column 7, lines 14-22, 47-49; example 6; claims 1, 2, 4, 6, 12 and 13)	1-15
x	WO 2001/085774 A1 (Alimentary Health Limited) 15 November 2001 (see page 5, lines 10-25; claims 15-19 and 21)	1-15

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No. • PCT/AU2004/001341

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

	t Document Cited in Search Report			Pate	nt Family Member		
wo	2003/026687	CA	2461708	EP	1429802	ÜS	2003096002
wo ·	2003/010299	BR	0211438	CA	2454805	EP	1 409643
		Œ	20020624	US	2003113306		
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		wo	0245575	wo	2004082660		
wo	1999/017788						
ЕP	0904784						
wo	2001/085774	AU	56610/01	IE	20010463	US	2002081311

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

END OF ANNEX